Fact Sheet

METHYL BROMIDE CRITICAL USE EXEMPTION

OFFICIAL TITLE: United States Nomination for Critical Use Exemptions from the 2006 phaseout of methyl bromide.

What is Methyl Bromide?

The Montreal Protocol and the Methyl Bromide Critical Use Exemption (CUE) Process:
Methyl Bromide (MeBr) has been used as a soil fumigant and structural fumigant to control pests across a wide range of agricultural sectors. Because MeBr depletes the stratospheric ozone layer, the amount of MeBr produced and imported in the U.S. is being reduced incrementally by January 1, 2005 pursuant to our obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer and the Clean Air Act (CAA). The incremental phaseout approach relies upon the market forces of supply and demand to stimulate the deployment of alternatives in the marketplace. However, for some agricultural purposes, there are very few viable alternatives currently available that are technically and economically feasible and also acceptable from a public health standpoint. For some uses, there are no alternatives available, therefore both the Montreal Protocol and the CAA allowed for exemptions to the phaseout, one of which is the critical use exemption.

Progress and U.S. Reductions

U.S. Methyl Bromide Use Relative to the Rest of the World:
Since the U.S. has one of the largest agricultural bases in the world, it has historically used more MeBr than any country in the world (approximately 40%). As the phaseout has progressed, the U.S.'s share of the world's MeBr has substantially decreased. While we are still the largest consumer in the world, our share has slipped to below 25% of the world methyl bromide consumption.

Put in perspective, the MBTOC recommendation to approve 35 percent of the U.S. 1991 baseline for a critical use exemption represents about .4 percent of the ozone depleting potential from all ozone depleting substances in all countries when the Montreal Protocol was first negotiated in 1987. Further, the 35 percent figure represents only 1.5 percent of ozone depleting potential caused by all ozone depleting substances in 1989 in the U.S.

U.S. Nomination and Critical Use Exemption

The U.S. nominated 37% of baseline for a Critical Use Exemption in 2006. This nomination covers exemptions for 17 crops or uses, including tomatoes, strawberries, peppers, cucurbits, and orchard replants. In addition, it should be noted that the United States submitted a supplemental request for a CUE in 2005, amounting to an additional 2% of the 1991 baseline levels.

Next Steps in the CUE Process:
The U.S. 2006 and 2005 supplemental nominations were transmitted to the Ozone Secretariat of the Montreal Protocol on March 1, 2004. The Ozone Secretariat will now forward the nomination package to the Methyl Bromide Technical Options Committee (MBTOC), an advisory group that provides technical expertise on methyl bromide to the Parties. MBTOC will review the nomination requests and make recommendations to the Parties. In November 2004, the Parties to the Protocol will meet and review the MBTOC recommendations for the continued production and import of methyl bromide after 2005 to meet authorized critical needs.

Background on the Phaseout of Methyl Bromide

The Phaseout Schedule:
The U.S. obligation under the Montreal Protocol and the requirement under the Clean Air Act is to reduce methyl bromide production and net imports to 30% of the 1991 baseline for years 2003 and 2004. In 2005, the U.S. production and net import of methyl bromide will be 0% of baseline except for allowable exemptions that are agreed upon by the parties, such as the critical use exemption. Under the Montreal Protocol and the Clean Air Act, the production and import phaseout for methyl bromide follows this schedule:

1993	to	1998	Freeze at 1991 baseline levels (U.S. consumption ~ 25,500 Metric Tonnes, about 40% of global) (consumption = production + import - export)
1999	and	2000	25% reduction from baseline levels
2001	and	2002	50% reduction from baseline levels
2003	and	2004	70% reduction from baseline levels
2005			100% phase out –except for allowable exemptions such as critical use exemptions agreed to by the Montreal Protocol Parties

Other exemptions include an unspecified quantity of methyl bromide for quarantine and preshipment uses, such as port fumigation of imported commodities and an emergency use exemption.